

# EXHIBIT 45

## PROPOSED AMENDMENT TO: 2008 NATIONAL ELECTRICAL CODE (NFPA 70)

### Section 406.11

#### **CURRENT CODE LANGUAGE:**

##### 406.11 Tamper – Resistant Receptacles in Dwelling Units

In all areas specified in 210.52, all 125-volt, 15 and 20 ampere receptacles shall be listed tamper-resistant receptacles.

#### **PROPOSED CODE LANGUAGE:**

**Completely remove the Section 406.11**

#### **SUBSTANTIATION:**

The installation of these devices is not applicable in all cases and in all circumstances. Many dwellings do not contain small children and may only be inhabited by adults, older children, the elderly or adults with physical impediments. Each dwelling owner needs to have the ability to decide if these devices are appropriate for their circumstances and provides their desired protection, prior to mandating these devices in all dwelling units.

There are already many products on the market to address this issue for a fraction of the cost to those consumer's that have a need for it. There has been no discussion or data to show the additional frequency in which these receptacles will have to be replaced due to the breakdown of this mechanism after normal wear and tear and weather or not the average homeowner, tenant or landlord's maintenance person will replace them with a regular receptacle or just use the existing products available.

#### FICAL IMPACT:

The cost of the standard tamper-resistant receptacles is 300% more than regular receptacles and GFCI receptacles are 50% more in cost. This would increase the cost for every consumer of a new dwelling unit approximately \$125 - \$200 depending on the size of the dwelling and the quantity of the receptacles. All this expense when they could purchase an existing product for approximately \$10 to accomplish the same result.



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**March 7, 2008**

**Chairman Robert Clegg  
NH State Building Code Review Board  
33 Hazen Drive  
Concord, NH 03302**

**Re: Proposed Amendment to the  
2008 National Electrical Code (NFPA 70)  
Section 406.11**

**Dear Chairman Clegg,**

**Please have the NH State Building Code Review Board review the proposed  
amendment to the 2008 National Electrical Code (NFPA 70) Section 210.12 (B)**

**Existing Code Language: 2008 National Electrical Code (NFPA 70)**

**406.11 Tamper –Resistant Receptacles in Dwelling Units**

**In all areas specified in 210.52, all 125-volt, 15 and 20 ampere receptacles shall be listed  
tamper-resistant receptacles.**

**Proposed Code Language:**

**Completely remove the section 406.11**

**Substantiation:**

The installation of these devices is not applicable in all cases and in all circumstances. Many dwellings do not contain small children and may only be inhabited by adults, older children, the elderly or adults with physical impediments. Each dwelling owner needs to have the ability to decide if these devices are appropriate for their circumstances and provides their desired protection. Prior to mandating these devices in all dwelling units.

There are already many products on the market to address this issue for a fraction of the cost to those consumer's that have a need for it. There has been no discussion or data to show the additional frequency in which these receptacles will have to be replaced due to the breakdown of this mechanism after normal wear and tear and weather or not the average homeowner, tenant or landlord's maintenance person will replace them with a regular receptacle or just use the existing products available.

**Fiscal impact:**

The cost of the standard tamper-resistant receptacles is 300 % more than regular receptacles and GFCI receptacles are 50% more in cost. This would cost every consumer of a new dwelling unit approximately \$125- \$200 depending on the size of the dwelling and the quantity of the receptacles. All this expense when they could purchase an existing product for approximately \$10 to accomplish the same result.

Sincerely:

Steven R. Rancourt, President  
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